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3 UNITED STATES DISTRICT COURT
4 DISTRICT OF NEVADA

5 * * *

6 LEONARD WOODS,

7 Plaintiff,

8 v.

9 L REYES, et al.,

10 Defendants.

Case No. 2:17-cv-01936-JAD-DJA

REPORT AND RECOMMENDATION

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12 The Court previously granted Plaintiff's request to proceed *in forma pauperis* and screened
13 the complaint pursuant to 28 U.S.C. § 1915. (ECF No. 9). In doing so, the Court found that
14 Plaintiff's complaint was deficient. (*Id.*). As a result, the Court dismissed Plaintiff's complaint on
15 August 2, 2019 and granted Plaintiff leave to amend the complaint, requiring that an amended
16 complaint be filed within 30 days, which has since passed. (*Id.*). The Court stated, "Failure to
17 timely comply will result in a report and recommendation that this case be dismissed." (*Id.* at 7).
18 To date, the Court has not received an amended complaint or any request to extend the deadline for
19 filing one. Further, the Court ordered Plaintiff to file a notice with his current address by July 26,
20 2019 and no such notice has been provided to date. (ECF No. 7).

21 Accordingly, the undersigned **RECOMMENDS** that this case be **DISMISSED** without
22 prejudice.

23 NOTICE

24 Pursuant to Local Rule IB 3-2 any objection to this Report and Recommendation must be
25 in writing and filed with the Clerk of the Court within (14) days after service of this Notice. The
26 Supreme Court has held that the courts of appeal may determine that an appeal has been waived
27 due to the failure to file objections within the specified time. *Thomas v. Arn*, 474 U.S. 140, 142
28 (1985), *reh'g denied*, 474 U.S. 1111 (1986). The Ninth Circuit has also held that (1) failure to file

1 objections within the specified time and (2) failure to properly address and brief the objectionable
2 issues waives the right to appeal the District Court's order and/or appeal factual issues from the
3 order of the District Court. *Martinez v. Ylst*, 951 F.2d 1153, 1157 (9th Cir. 1991); *Britt v. Simi*
4 *Valley United Sch. Dist.*, 708 F.2d 452, 454 (9th Cir. 1983).

5 DATED: October 21, 2019

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8 DANIEL J. ALBREGTS
9 UNITED STATES MAGISTRATE JUDGE
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